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Attorneys for Moving Party  
Oxana Wootton

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

In Re:

Alan T. and Wendy Lynn Wootton,  
Debtor(s).

Case No: 09-57389 ASW

Chapter 13

Adversary No. 10-05359

NOTICE OF MOTION DISMISS COMPLAINT  
AND POINTS AND AUTHORITIES IN  
SUPPORT THEREOF

ALAN T. WOOTTON

Plaintiff

vs.

OXANA WOOTTON

Defendant

Date: December 16, 2010

Time: 2:15PM

Courtroom: 3035

Judge: Hon. Arthur Weissbrodt

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on December 16, 2010 at 2:15 p.m. or as soon thereafter as  
counsel may be heard in **Courtroom 3035** of the above entitled court, located at 280 South First St.,  
San Jose, CA 95113. Oxana Wootton ("Wootton" or "Defendant") will move this Court for an order  
dismissing Alan Wootton's Adversary Complaint to determine Extent of Interest of Bankruptcy Estate  
in Property ("Complaint").

1 The Motion to Dismiss is brought on the grounds that Plaintiff's claims against Wootton fail to  
2 allege sufficient facts to support any claims upon which relief can be granted, pursuant to Federal Rule  
3 of Civil Procedure 12(b)(6), Bankruptcy Rule 7012, for (1) failure to state a claim against Defendant;  
4 (2) the issue has already been heard and determined; (3) failure to include indispensable parties.

5  
6 This Motion is further brought pursuant to this Notice, the supporting Memorandum of Points  
7 and Authorities, and such documentary evidence and oral argument as may be offered at trial.

8 PLEASE TAKE FURTHER NOTICE that Local Bankruptcy Rule 7007-1, requires a formal  
9 opposition to this Motion at least 14 days before the hearing on this matter.

10  
11 Dated: November 15, 2010

CAMPEAU GOODSSELL SMITH

12 By: /s/: Kari L. Silva

13 Kari L. Silva

14 Attorneys for Oxana Wootton